



PATENT
Attorney Docket 70255

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

13

Applicants: Black et al.)
Appn. No.: 09/891,774)
Filed: June 26, 2001)
For: AUTO RACK RAILWAY CAR)
Group Art)
Unit: 3683)
Examiner: C. Bartz)

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GROUP 3600

TERMINAL DISCLAIMER

Hon. Commissioner of Patents
and Trademarks
Attention: Assistant Commissioner
for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

TRN Business Trust, the owner of the entire right, title and interest in and to above-captioned Application No. 09/891,774 ("the instant application"), and of the entire right, title and interest in and to U.S. Patent No. 6,289,822, hereby disclaims, except as provided below, the terminal part of any patent granted on the instant application that would extend beyond the expiration date of the full statutory term of U.S. Patent No. 6,289,822, and hereby agrees that any patent granted on the instant application shall be enforceable only for and during such period that it and U.S. Patent No. 6,289,822 shall be commonly owned.

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The owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term of U.S. Patent No. 6,289,822 in the event that the latter patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole under 35 U.S.C. § 1.321(a), has all claims canceled by a reexamination certificate, or is otherwise terminated prior to the expiration of its full statutory term.

This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), please charge \$110.00, along with any additional fees that may be required in connection with this document, to our Deposit Account No. 06-1135. This sheet is filed in triplicate.

The undersigned is an attorney of record in the instant application.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By 
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Date: May 15, 2003

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